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Dated: November 30, 2004

Signature:

(Harvey L. Cohen)

DOCKET NO.: FGLICK 3.0-001  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of  
Glick et al.

Application No. 09/699,774

Filed: October 30, 2000

For: ANTIBACTERIAL COMPOSITIONS  
AND METHOD OF USING SAME

Art Unit: 1751

Examiner: P. Kumar

X

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST UNDER 37 C.F.R. § 1.48(a) TO ADMIT AN AMENDMENT  
IN THE ABOVE-IDENTIFIED APPLICATION TO CORRECT INVENTORSHIP**

Dear Sir:

This Request is to admit the Amendment filed simultaneously herewith to correct inventorship under 37 C.F.R. Sec. 1.48(a) in the above-identified application, by adding the name and address of ANNETTE JOUBERT, a person originally, incorrectly and inadvertently omitted, without any intent to deceive, as a co-inventor in this application as originally filed, as follows: ANNETTE JOUBERT, a citizen of the United States residing at 11 Oak Glen Place, Whippany, NJ 07981.

In compliance with the requirements for the said Amendment under 35 C.F.R. 1.48(a) and this Request, attached are the following:

- (1) Declaration of ANNETTE JOUBERT, who, without intent to deceive, was incorrectly not named as a co-inventor of the subject matter as claimed in

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the above-identified application, as originally filed; and

- (2) Declaration of FRANCINE GLICK, a principal of Water Journey Ltd., assignee of the subject patent application, consenting to the addition of ANNETTE JOUBERT as a co-inventor.

The facts relating to the inadvertent omission of Annette Joubert as a named inventor in the subject application are set forth in the accompanying Declaration of Ms. Joubert. In the Declaration, it is clear that the omission was inadvertent and arose because of lack of knowledge regarding the necessity and requirements for naming the proper inventor and without any intent to deceive.

Accordingly, the Amendment to correct the inventorship in accordance with these facts has been filed simultaneously herewith.

Correction of inventorship in a pending patent application, other than a reissue application, is permitted under 37 C.F.R. § 1.48. A suitable Amendment has been filed simultaneously herewith, together with this Petition and the supporting Declaration, a Declaration by the omitted inventor in accordance with Sec. 1.63 and a consent from Water Journey Ltd., assignee of the patent application, all as required under 37 C.F.R. § 1.48(a).

The Commissioner is authorized to charge Deposit Account No. 12-1095 in an amount to cover the fee for this Petition and for such other charges as are due and owing.

The Amendment to correct inventorship has met the requirements of Sec. 1.48(a). All the documents in support of the Petition set forth the facts which required the filing of the present Amendment. Accordingly, the Commissioner of Patents and Trademarks is respectfully requested to grant this Petition

Serial No. 09/699,774

Docket No.: FGLICK 3.0-001

and to admit the Amendment to correct inventorship in the above-identified application.

Dated: November 30, 2004

Respectfully submitted,

By 

Harvey L. Cohen

Registration No.: 28,365

LERNER, DAVID, LITTENBERG,

KRUMHOLZ & MENTLIK, LLP

600 South Avenue West

Westfield, New Jersey 07090

(908) 654-5000

Attorney for Applicant

518351\_1.DOC



Docket No.: FGLICK 3.0-001  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:  
Glick et al.

Application No.: 09/699,774

Confirmation No.: 6958

Filed: October 30, 2000

Art Unit: 1751

For: ANTIBACTERIAL COMPOSITIONS AND  
METHOD OF USING SAME

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Examiner: P. Kumar

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION OF ANNETTE JOUBERT  
IN SUPPORT OF THE REQUEST TO  
ADMIT AMENDMENT TO CORRECT INVENTORSHIP**

Dear Sir:

ANNETTE JOUBERT declares:

1. I am one of the actual and true inventors of the subject matter disclosed, shown and claimed in the above-identified patent application. The other co-inventors are FRANCINE GLICK and EUGENE PUCHALSKI, JR.

2. During the period prior to the time that the provisional patent application from which the above-identified application claims priority was filed, namely November 8, 1999, I was involved in the development of the subject matter that is claimed in the subject application with the other named inventors.

3. Prior to the filing of the provisional patent application, I had discussions with FRANCINE GLICK, one of the other named co-inventors, in which I informed her that I did not want to be involved in the preparation of the patent application, its prosecution or to be responsible for the costs associated therewith. From that time, responsibility for the preparation and filing of the provisional patent application, the non-provisional application and its prosecution was handled by others, including FRANCINE GLICK.

4. I had incorrectly believed that my name could be omitted as an inventor in view of my expressed intention not to be involved in the preparation, filing and prosecution of the application.

5. I was recently informed by FRANCINE GLICK that, based on her discussions with the patent attorney presently handling prosecution of the patent application and in view of my participation in the development of the subject matter claimed in the patent application, I am considered to be an inventor.

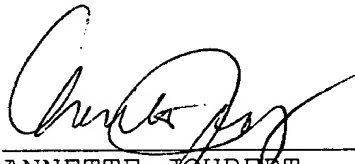
6. I did not have any knowledge regarding the designation of inventors when the provisional and non-provisional patent applications were filed and that the delay in naming me as an inventor was not intended to deceive or mislead and occurred only by reason of inadvertence and mistake on the part of FRANCINE GLICK and myself by reason of our limited

knowledge of the requirements regarding execution of the Application for U.S. Letters Patent by the actual and true inventors.

7. I have assigned and transferred the subject matter disclosed, shown and claimed in the above-identified patent application as well as the provisional patent application from which it claims priority to Water Journey Ltd.

8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 10-7-04, 2004

  
ANNETTE JOUBERT



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PTO/SB/01 (03-01)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☐ Declaration  
Submitted  
with Initial  
Filing

OR

☒ Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

**Attorney Docket Number**

FGCLICK 3.0-001

**First Named Inventor**

Francine Glick

**COMPLETE IF KNOWN**

**Application Number**

09/699,774

**Filing Date**

October 30, 2000

**Group Art Unit**

1751

**Examiner Name**

Not Yet Assigned

**As a below named inventor, I hereby declare that:**

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ANTIBACTERIAL COMPOSITIONS AND METHOD OF USING SAME

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 10/30/2000 as United States Application Number or PCT International

Application No. 09/699,774 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

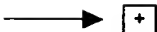
I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

Please type a plus sign (+) inside this box



PTO/SB/01 (03-01)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>DECLARATION — Utility or Design Patent Application</b>			
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Customer Number 000530			
Direct all correspondence to:		<input checked="checked" type="checkbox"/> Customer Number or Bar Code Label	<div style="border: 1px solid black; padding: 5px; display: inline-block;">000530</div>
		OR <input type="checkbox"/> Correspondence address below	
Name			
Address			
City		State	ZIP
Country	Telephone		Fax
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Francine		Glick	
Inventor's Signature		Date	
Residence: City	State	United States of America	Citizenship
Livingston	NJ		US
Mailing Address: 75 Shrewsbury Drive			
City	State	ZIP	Country
Livingston	NJ	07039	United States of America
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Eugene		Puchalski, Jr.	
Inventor's Signature		Date	
Residence: City	State	United States of America	Citizenship
Jersey City	NJ		US
Mailing Address: 129 McAdoo Avenue			
City	State	ZIP	Country
Jersey City	NJ	07305	United States of America
<input checked="checked" type="checkbox"/> Additional inventors are being named on the <u>1</u> supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.			

LD-537A





PTO/SB/02A (08-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S) Supplemental Sheet</b>	Page <u>1</u> of <u>1</u>
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<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Annette		Joubert	
Inventor's Signature <i>Annette Joubert</i>		Date <i>10-5-04</i>	
Residence: City	State	Country	Citizenship
Whippany	NJ	United States of America	US
Mailing Address:	11 Oak Glen Place		
City	State	Zip	Country
Whippany	NJ	07981	United States of America
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address:			
City	State	Zip	Country
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address:			
City	State	Zip	Country
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address:			
City	State	Zip	Country



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DECLARATION AND CONSENT BY ASSIGNEE

Dear Sir:

WATER JOURNEY LTD., a New Jersey corporation having a place of business at 75 Shrewsbury Drive, Livingston, New Jersey 07039, consents to the entry of the Amendment to Correct Inventorship and declares as follows:

1. In the above-identified application, the named inventors, FRANCINE GLICK and EUGENE PUCHALSKI, JR., assigned and transferred to WATER JOURNEY LTD. their entire right, title and interest in, to and under the invention and the subject matter as shown, described and claimed in this application.

2. It was discovered, after this application was filed, that another person may have been an inventor but was incorrectly and inadvertently not named and that this arose without any deceptive intent.

3. The Attorneys of Record investigated this and determined that the unnamed person, ANNETTE JOUBERT, should have been named

Serial No. 09/699,774

as an inventor. Accordingly, concurrently herewith, the Attorneys have filed an Amendment to Correct Inventorship under 37 C.F.R. Sec. 1.48(a), by adding ANNETTE JOUBERT, together with the required Petition to admit this Amendment and the supporting Declarations therefor.

4. Each of the named inventors also has assigned and transferred his respective entire right, title and interest in, to and under the invention and the subject matter as shown, described and claimed in the subject application to WATER JOURNEY LTD.

5. Accordingly, by virtue of these assignments, WATER JOURNEY LTD. hereby consents to and approves entry of the Amendment to Correct Inventorship in the above-identified application so as to add the named inventor, ANNETTE JOUBERT, to the other actual and true inventors, FRANCINE GLICK and EUGENE PUCHALSKI, JR.

6. The undersigned hereby declares that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the subject application or any patent issued thereon.

WATER JOURNEY LTD.

Dated: 11/30/, 2004

Francine Glick  
FRANCINE GLICK  
PRESIDENT